



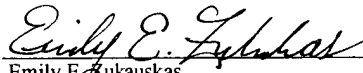
DOCKET NO.: 10248.70015US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bachovchin et al.
Serial No.: 10/725,952
Confirmation No.: 3968
Filed: December 1, 2003
For: STIMULATION OF HEMATOPOIETIC CELLS IN VITRO
Examiner: Michael L. Borin
Art Unit: 1631

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 27th day of February, 2007.


Emily E. Zukauskas

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

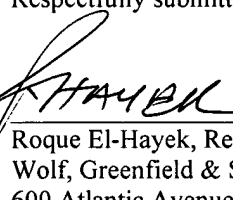
- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:


Roque El-Hayek, Reg. No.: 55,151
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: 10248.70015US01
Date: February 27, 2007
xNDDx



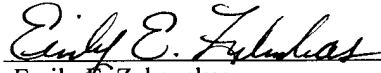
DOCKET NO.: I0248.70015US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bachovchin et al.
Serial No.: 10/725,952
Confirmation No.: 3968
Filed: December 1, 2003
For: STIMULATION OF HEMATOPOIETIC CELLS IN VITRO
Examiner: Michael L. Borin
Art Unit: 1631

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 27th day of February, 2007.


Emily E. Zukauskas

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

03/02/2007 HBELETE1 00000079 10725952

01 FC:1806

180.00 OP

1150721.1

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Docket No.</u>
11/474,929	06-26-2006	Wallner et al.	*I0248.70016US02
11/522,105	09-15-2006	Jesson et al.	*I0248.70026US02

*A copy of this reference is not provided as the Office has waived the requirement under 37 C.F.R. 1.98(a)(2)(iii) for submitting a copy of a cited U.S. patent application if it is scanned to the Image File Wrapper system and is available on Private PAIR.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

Serial No.: 10/725,952
Conf. No.: 3968

- 3 -

Art Unit: 1631

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

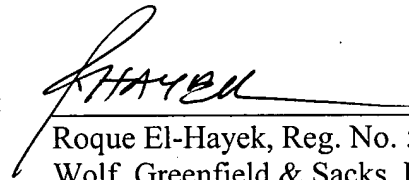
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

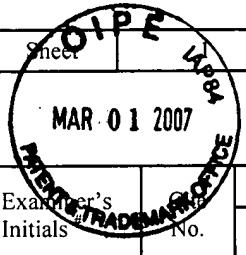
By:



Roque El-Hayek, Reg. No. 55,151
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: I0248.70015US01
Date: February 27, 2007
xNDDx

FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICATION NO.: 10/725,952		ATTY. DOCKET NO.: 10248.70015US01	
	FILING DATE: December 1, 2003		CONFIRMATION NO.: 3968	
	APPLICANT: Bachovchin et al.			
	GROUP ART UNIT: 1631		EXAMINER: Michael L. Borin	

Sheet  of 4

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A92	5,580,486		Labeque et al.	12-03-1996
	A93	5,780,454		Adams et al.	07-14-1998
	A94	6,319,893		Demuth et al.	11-20-2001
	A95	6,890,898	B2	Bachovchin et al.	05-10-2005
	A96	7,067,489	B2	Wallner et al.	06-27-2006
	A97	2001-0020006	A1	Demuth et al.	09-06-2001
	A98	2002-0049164	A1	Demuth et al.	04-25-2002
	A99	2002-0071838	A1	Demuth et al.	06-13-2002
	A100	2002-0082427	A1	Demuth et al.	06-27-2002
	A101	2002-0110560	A1	Demuth et al.	08-15-2002
	A102	2002-0198242	A1	Demuth et al.	12-26-2002
	A103	2003-0125304	A1	Demuth et al.	06-03-2003
	A104	2003-0148961	A1	Heiser et al.	08-07-2003
	A105	2004-0043919	A1	Von Horsten et al.	03-04-2004
	A106	2004-0171555	A1	Demuth et al.	09-02-2004
	A107	2005-0043299	A1	Evans et al.	02-24-2005
	A108	2005-0070459	A1	Bachovchin et al.	03-31-2005
	A109	2005-0070482	A1	Bachovchin	03-31-2005
	A110	2006-0287245	A1	Wallner et al.	12-21-2006

FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B48	WO	97/40832	A1	Hans-Knöll-Institut für Naturstoff- Forschung	11-06-1997	Y-Abstract
	B49	WO	99/38501	A2	Trustees of Tufts University	08-05-1999	
	B50	WO	99/46272	A1	Fondatech Benelux N.V.	09-16-1999	
	B51	WO	99/61431	A1	Probiobdrug Gesellschaft für Arzneimittelforschung MBH	12-02-1999	Y-Abstract
	B52	WO	99/67278	A1	Pro-Biodrug Gesellschaft für Arzneimittelforschung MbH	12-29-1999	Y-Abstract
	B53	WO	01/98468	A2	Incyte Genomics, Inc.	12-27-2001	

EXAMINER:	DATE CONSIDERED:
-----------	------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/725,952		ATTY. DOCKET NO.: I0248.70015US01			
				FILING DATE: December 1, 2003		CONFIRMATION NO.: 3968			
				APPLICANT: Bachovchin et al.					
				GROUP ART UNIT: 1631		EXAMINER: Michael L. Borin			
Sheet	2	of	4						

	B54	WO	03/045228	A2	Trustees of Tufts College, Brigham and Women's Hospital	06-05-2003	
	B55	WO	03/045977	A2	Trustees of Tufts College	06-05-2006	
	B56	WO	03/092605	A2	Trustees of Tufts College	11-13-2003	
	B57	WO	2005/082348	A2	Trustees of Tufts College	09-09-2005	
	B58	WO	2005/106487	A1	Bayer Healthcare Ag	11-10-2005	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C143	ABBOTT et al., Two highly conserved glutamic acid residues in the predicted beta propeller domain of dipeptidyl peptidase IV are required for its enzyme activity. FEBS Lett. 1999 Sep 24;458(3):278-84.	
	C144	ABBOTT et al., Cloning, expression and chromosomal localization of a novel human dipeptidyl peptidase (DPP) IV homolog, DPP8. Eur J Biochem. 2000 Oct;267(20):6140-50.	
	C145	AHN et al., Pyrazolidine derivatives with heteroaryl urea as dipeptidyl peptidase IV inhibitors. Chem Pharm Bull (Tokyo). 2005 Aug;53(8):1048-50.	
	C146	ANSORGE et al., Dipeptidyl peptidase IV (DP IV), a functional marker of the T lymphocyte system. Acta Histochem. 1987;82(1):41-6. Abstract Only.	
	C147	AOYAGI et al., Multiple enzymes related to differentiation of lymphocyte subpopulations in man. Biochem Int. 1989 Feb;18(2):383-9.	
	C148	AYTAC et al., Expression of CD26 and its associated dipeptidyl peptidase IV enzyme activity enhances sensitivity to doxorubicin-induced cell cycle arrest at the G(2)/M checkpoint. Cancer Res. 2001 Oct 1;61(19):7204-10.	
	C149	BENSAADI et al., Modulation of enzymatic activities during spontaneous and induced differentiation in a human pancreatic adenocarcinoma cell line CAPAN-1. Int J Pancreatol. 1989 May;4(4):391-406. Abstract Only.	
	C150	BODUSZEK et al., Dipeptide phosphonates as inhibitors of dipeptidyl peptidase IV. J Med Chem. 1994 Nov 11;37(23):3969-76.	
	C151	BRANDT et al., Inhibition of dipeptidyl-peptidase IV catalyzed peptide truncation by Vildagliptin ((2S)-{[(3-hydroxyadamantan-1-yl)amino]acetyl}-pyrrolidine-2-carbonitrile). Biochem Pharmacol. 2005 Jul 1;70(1):134-43. Abstract Only.	
	C152	BRUBAKER et al., Intestinal function in mice with small bowel growth induced by glucagon-like peptide-2. Am Phys Soc. 1997:E1050-8.	
	C153	BUSEK et al., Dipeptidyl peptidase IV activity and/or structure homologues (DASH) and their substrates in cancer. Int J Biochem Cell Biol. 2004 Mar;36(3):408-21.	
	C154	CHEN et al., Dipeptidyl peptidase IV gene family. The DPIV family. Adv Exp Med Biol. 2003;524:79-86.	
	C155	DANG et al., 1F7 (CD26): a marker of thymic maturation involved in the differential regulation of the CD3 and CD2 pathways of human thymocyte activation. J Immunol. 1991 Nov 1;147(9):2825-32. Abstract Only.	

EXAMINER:	DATE CONSIDERED:
-----------	------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/725,952		ATTY. DOCKET NO.: 10248.70015US01	
				FILING DATE: December 1, 2003		CONFIRMATION NO.: 3968	
				APPLICANT: Bachovchin et al.			
				GROUP ART UNIT: 1631		EXAMINER: Michael L. Borin	
Sheet	3	of	4				

	C156	DANG et al., Comitogenic effect of solid-phase immobilized anti-1F7 on human CD4 T cell activation via CD3 and CD2 pathways. J Immunol. 1990 Jun 1;144(11):4092-100. Abstract Only.	
	C157	DEACON et al., Dipeptidyl peptidase IV inhibition potentiates the insulinotropic effect of glucagon-like peptide 1 in the anesthetized pig. Diabetes. 1998 May;47(5):764-9.	
	C158	DONG et al., Role of CD26 for CD4 memory T cell function and activation. Hum Cell. 1996 Sep;9(3):153-62. Abstract Only.	
	C159	DRUCKER et al., Regulation of the biological activity of glucagon-like peptide 2 in vivo by dipeptidyl peptidase IV. Nat Biotechnol. 1997 Jul;15(7):673-7.	
	C160	DRUCKER et al., Glucagon-like peptides. Diabetes. 1998 Feb;47(2):159-69.	
	C161	EDOSADA et al., Peptide substrate profiling defines fibroblast activation protein as an endopeptidase of strict Gly(2)-Pro(1)-cleaving specificity. FEBS Lett. 2006 Mar 6;580(6):1581-6.	
	C162	EDOSADA et al., Selective inhibition of fibroblast activation protein protease based on dipeptide substrate specificity. J Biol Chem. 2006 Mar 17;281(11):7437-44. Epub 2006 Jan 12.	
	C163	FLEISCHER et al., CD26: a surface protease involved in T-cell activation. Immunol Today. 1994 Apr;15(4):180-4. Abstract Only.	
	C164	GIBSON et al., A practical synthesis of L-Valyl-pyrrolidine-(2R)-boronic acid: Efficient recycling of the costly chiral auxiliary (+)-pinanediol. Org Proc Res & Dev. 2002;6:814-6.	
	C165	GORRELL et al., Dipeptidyl peptidase IV and related enzymes in cell biology and liver disorders. Clin Sci (Lond). 2005 Apr;108(4):277-92.	
	C166	GUTHEIL et al., Kinlsq: a program for fitting kinetics data with numerically integrated rate equations and its application to the analysis of slow, tight-binding inhibition data. Anal Biochem. 1994 Nov 15;223(1):13-20. Abstract Only.	
	C167	GUTHEIL et al., Human immunodeficiency virus 1 Tat binds to dipeptidyl aminopeptidase IV (CD26): a possible mechanism for Tat's immunosuppressive activity. Proc Natl Acad Sci U S A. 1994 Jul 5;91(14):6594-8.	
	C168	HAFLER et al., Mechanisms of immune memory. T cell activation and CD3 phosphorylation correlates with Ta1 (CDw26) expression. J Immunol. 1989 Apr 15;142(8):2590-6. Abstract Only.	
	C169	HEYMANN et al., A negative blood-clotting factor lining the vessels. Naturwissenschaften. 1982 Apr;69(4):189-91.	
	C170	HEYMANN et al., Liver dipeptidyl aminopeptidase IV hydrolyzes substance P. FEBS Lett. 1978 Jul 15;91(2):360-4.	
	C171	HILDEBRANDT et al., Dipeptidyl peptidase IV (DP IV, CD26) in patients with inflammatory bowel disease. Scand J Gastroenterol. 2001 Oct;36(10):1067-72. Abstract Only.	
	C172	HUGHES et al., NVP-DPP728 (1-[[[2-[(5-cyanopyridin-2-yl)amino]ethyl]amino]acetyl]-2-cyano-(S)-pyrrolidine), a slow-binding inhibitor of dipeptidyl peptidase IV. Biochemistry. 1999 Sep 7;38(36):11597-603.	
	C173	KIEFFER et al., Degradation of glucose-dependent insulinotropic polypeptide and truncated glucagon-like peptide 1 in vitro and in vivo by dipeptidyl peptidase IV. Endocrinology. 1995 Aug;136(8):3585-96.	
	C174	MENTLEIN et al., Dipeptidyl-peptidase IV hydrolyses gastric inhibitory polypeptide, glucagon-like peptide-1(7-36)amide, peptide histidine methionine and is responsible for their degradation in human serum. Eur J Biochem. 1993 Jun 15;214(3):829-35. Abstract Only.	

EXAMINER:	DATE CONSIDERED:
-----------	------------------

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/725,952		ATTY. DOCKET NO.: 10248.70015US01			
				FILING DATE: December 1, 2003		CONFIRMATION NO.: 3968			
				APPLICANT: Bachovchin et al.					
				GROUP ART UNIT: 1631		EXAMINER: Michael L. Borin			
Sheet	4	of	4						

	C175	MORRISON et al., A marker for neoplastic progression of human melanocytes is a cell surface ectopeptidase. J Exp Med. 1993 Apr 1;177(4):1135-43.	
	C176	OGATA et al., Primary structure of rat liver dipeptidyl peptidase IV deduced from its cDNA and identification of the NH2-terminal signal sequence as the membrane-anchoring domain. J Biol Chem. 1989 Feb 25;264(6):3596-601.	
	C177	PETHIYAGODA et al., Dipeptidyl peptidase IV (DPPIV) inhibits cellular invasion of melanoma cells. Clin Exp Metastasis. 2000;18(5):391-400. Abstract Only.	
	C178	REINHOLD et al., The role of dipeptidyl peptidase IV (DP IV) enzymatic activity in T cell activation and autoimmunity. Biol Chem. 2002 Jul-Aug;383(7-8):1133-8.	
	C179	ROTELLA et al., Glucagon-like peptide 1 (GLP-1) and metabolic diseases. J Endocrinol Invest. 2005 Sep;28(8):746-58. Abstract Only.	
	C180	TORIMOTO et al., Coassociation of CD26 (dipeptidyl peptidase IV) with CD45 on the surface of human T lymphocytes. J Immunol. 1991 Oct 15;147(8):2514-7. Abstract Only.	
	C181	VIVIER et al., Evidence that thymocyte-activating molecule is mouse CD26 (dipeptidyl peptidase IV). J Immunol. 1991 Jul 15;147(2):447-54. Abstract Only.	
	C182	WEBER et al., Dipeptidyl peptidase IV inhibitors for the treatment of diabetes. J Med Chem. 2004 Aug 12;47(17):4135-41.	
	C183	YAMADA et al., A potent dipeptide inhibitor of dipeptidyl peptidase IV. Bioorg Med Chem Lett. 1998 Jun 16;8(12):1537-40.	
	C184	ZHAO et al., Inhibition of dipeptidyl peptidase IV (DPP IV) by 2-(2-amino-1-fluoro-propylidene)-cyclopentanecarbonitrile, a fluoroolefin containing peptidomimetic. Bioorg Med Chem. 2003 Jan 17;11(2):207-15.	

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]

EXAMINER:	DATE CONSIDERED:
-----------	------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.